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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/723,707  
Confirmation No.: 7840  
Filed: November 26, 2003  
Inventor(s):  
Robert E. Rodgers, Jr.

Examiner: Unknown  
Art Unit: 3764  
Atty. Dkt. No: 5787-00906

Title: VARIABLE PATH  
EXERCISE APPARATUS

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: 5/20/04

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents  
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*Jackie L. Pitre*  
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
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Sir:

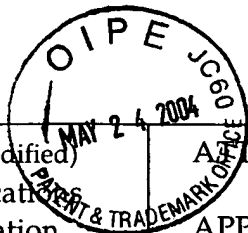
It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 (reference B1) be considered by the Examiner and made of record. Copies of the listed documents are enclosed for the convenience of the Examiner.

Should any fees be required, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5787-00906/EBM.

Respectfully submitted,

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**Form PTO-1449** (modified)  
List of Patents and Publications  
For Applicant's Information  
Disclosure Statement  
(Use several sheets if necessary)

APPY. DKT. NO. 5787-00906

SERIAL NO. 10/723,707

APPLICANT: Robert Rodgers, Jr.

GROUP: 3764

FILING DATE: November 26, 2003

**U.S. PATENT DOCUMENTS**

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	B1	805/807 Elliptical Trainer Brochure, SportsArt company web page (11/2003)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.